

00-0-1102

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO TRANSFER THE
SIDEWALK REQUIREMENTS OF SECTION
15.09.003 OF THE CODE OF
ORDINANCES, FOR A RESIDENTIAL
SUBDIVISION TO BE LOCATED AT
2635-2653 BROOKDALE DRIVE, AND
TO THEN CONSTRUCT 1920 SQUARE
FEET OF SIDEWALK THAT WOULD HAVE
BEEN CONSTRUCTED ON BROOKDALE
DRIVE, ON THE SOUTH SIDE OF WEST
WESLEY, AT A LOCATION TO BE
DETERMINED ALONG THE STRETCH OF
WEST WESLEY RUNNING FROM
BROOKDALE DRIVE TO HOWELL MILL
ROAD; AND FOR OTHER PURPOSES.

SEP 0 5 2000

AS AMENDED

☐ CONSENT REFER C COUNCIL☐ REGULAR REPORT REFER☐ ADVERTISE & REFER☐ 1st ADOPT 2nd READ & REFER☒ PERSONAL PAPER REFER

Date Referred

7/17/00

Referred To:

City Utilities

Date Referred

8/7/00

Referred To:

City Utilities (without objection)

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

8/1/00

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

Consented by request of Muller
CERTIFIED

CERTIFIED
SEP 5 2000

CERTIFIED
SEP 0 5 2000

Richard Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 1 4 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



**CITY COUNCIL
ATLANTA, GEORGIA**

AN ORDINANCE

00-0-1102

BY COUNCILMEMBER CLAIR MULLER

AS AMENDED BY CITY UTILITIES COMMITTEE

AN ORDINANCE TO TRANSFER THE SIDEWALK REQUIREMENTS OF SECTION 15.09.003 OF THE CODE OF ORDINANCES, FOR A RESIDENTIAL SUBDIVISION TO BE LOCATED AT 2635-2653 **HABERSHAM ROAD**, AND TO THEN CONSTRUCT 1,600 SQUARE FEET OF SIDEWALK THAT WOULD HAVE BEEN CONSTRUCTED ON **HABERSHAM ROAD**, ON THE SOUTH SIDE OF WEST WESLEY, AT A LOCATION TO BE DETERMINED ALONG THE STRETCH OF WEST WESLEY RUNNING FROM HABERSHAM ROAD TO MOORES MILL ROAD; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application of Robert Cunningham for a subdivision to be located at 2635-2653 **Habersham Road**, the developer is required to comply with the provisions of Section 15.09.003 of the Code of Ordinances to provide sidewalks; and

WHEREAS, the construction of sidewalks along the frontage of 2635-2653 **Habersham Road** would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks along **Habersham Road** to which the new sidewalks could connect; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks along West Wesley Road, where they could connect to sidewalks that have already been constructed under the City's sidewalk project.

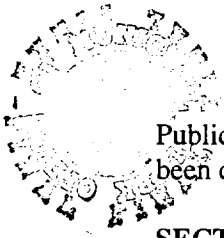
NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the requirements of Section 15-09.003 of the Code of Ordinances are hereby transferred for the construction of 1,600 square feet of sidewalk, that would have been constructed along the 320 linear feet fronting the subdivision to be located at 2635-2653 **Habersham Road**.

SECTION 2: That all other requirements of the Code of Ordinances for the subdivision located at 2635-2653 **Habersham Road** shall remain in full force and effect.

SECTION 3: That the issuance of said permit shall be conditioned on the agreement of the applicant to construct 1,600 square feet of sidewalk, complying with the City of Atlanta's specifications for sidewalk construction, on the south side of West Wesley Road, at a location to be determined by the Commissioner of Public Works along the stretch of West Wesley running from Habersham Road to Moores Mill Road.

SECTION 4: That before the Director of the Bureau of Buildings issues any Certificate of Occupancy for any house within the subdivision to be located at 2635-2653 **Habersham Road**, the sidewalk shall have been installed by the applicant and approved by the Department of



Public Works, or a check for the amount needed for construction of 1,600 sq. ft. of sidewalk shall have been deposited with the Department of Public Works.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

Amendment Incorporated by tcp 9/08/00

A true copy,

Phonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 05, 2000

SEP 14, 2000

RCS# 2194
9/05/00
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS:	13	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	3	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1007 00-R-1309
Y Starnes	NV Woolard	Y Martin	Y Emmons	
NV Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

09/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1102 2. 00-O-1143 3. 00-O-1207 4. 00-O-1295 5. 00-O-1303 6. 00-O-1313 7. 00-O-1124 8. 00-O-1125 9. 00-O-1126 10. 00-O-1127 11. 00-O-1128 12. 00-O-1133 13. 00-O-1196 14. 00-O-1298 15. 00-O-1122 16. 00-O-1300 17. 00-R-1198 18. 00-R-1230 19. 00-R-1290 20. 00-R-1312 21. 00-R-1316 22. 00-R-1265 23. 00-R-1266 24. 00-R-1267 25. 00-R-1268 26. 00-R-1270 27. 00-R-1314 28. 00-R-1229 29. 00-R-1233 30. 00-R-0886 31. 00-R-1236 32. 00-R-1237 33. 00-R-1238 34. 00-R-1239 35. 00-R-1240 36. 00-R-0241 37. 00-R-1242 38. 00-R-1243 39. 00-R-1244	40. 00-R-1235 41. 00-R-1245 42. 00-R-1246 43. 00-R-1247 44. 00-R-1248 45. 00-R-1249 46. 00-R-1250 47. 00-R-1251 48. 00-R-1252 49. 00-R-1253 50. 00-R-1254 51. 00-R-1255 52. 00-R-1256 53. 00-R-1257 54. 00-R-1258 55. 00-R-1259 56. 00-R-1260 57. 00-R-1261 58. 00-R-1262 59. 00-R-1263 60. 00-R-1264